

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. George Fitzgerald Fenderson

Docket No. 4:00-CR-6-1

Petition for Action on Supervised Release

COMES NOW John A. Cooper, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of George Fitzgerald Fenderson, who, upon an earlier plea of guilty to 21 U.S.C. § 846, Conspiracy to Distribute and Possession with Intent to Distribute Cocaine Base (Crack), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on August 22, 2000, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall submit a written weekly report to the probation office, if not regularly employed, of attempts to secure gainful employment.

George Fitzgerald Fenderson was released from custody on May 30, 2008, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Mr. Fenderson has been involved in a contentious relationship with a female named Sheava Beatty for approximately one year. She charged him with Assault on a Female, and he charged her with Assault, alleging she attacked him and he acted in self defense. Both charges remain pending trial, and were reported to the Court via Violation Report dated July 28, 2010. The court continued Mr. Fenderson on supervision. He was advised by the probation officer not to contact Ms. Beatty. However, Ms. Beatty reported Fenderson did contact her by phone and in person, and in one incident, she claimed Mr. Fenderson stomped on her toe causing injury. On September 2, 2010, Mr.

George Fitzgerald Fenderson
Docket No. 4:00-CR-6-1
Petition For Action
Page 2

Fenderson reported to the U.S. Probation Office and was reprimanded for his actions. He signed an agreement not to contact Ms. Beatty in any way, or immediate court action would result.

However, on September 30, 2010, Ms. Beatty reported Mr. Fenderson called her on several occasions, went to her house on September 25th and stayed two days. She admitted she allowed him to stay despite the problems they have been having. Mr. Fenderson was confronted about this incident, and admitted he violated the written agreement made with the probation office. As a sanction for this violation, we recommend supervision be continued but modified, requiring Fenderson to serve four weekends in jail. This will allow him to remain employed, but punish him for his lack of good judgment and conduct in this matter. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 4 consecutive weekends, and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Kevin L. Connolley
Kevin L. Connolley
Supervising U.S. Probation Officer

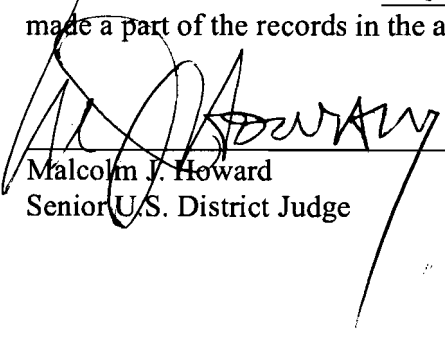
I declare under penalty of perjury that the foregoing is true and correct.

/s/ John A. Cooper
John A. Cooper
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: (910) 815-4857

Executed On: October 6, 2010

ORDER OF COURT

Considered and ordered this 6th day of October, 2010, and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge